

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TRUSTEES FOR THE UPPER PENINSULA  
PLUMBERS' AND PIPEFITTERS' HEALTH  
CARE FUND, et al.,

Plaintiffs,

Case No. 4:02-cv-113

v.

Hon. Richard Alan Enslen

INDUSTRIAL PIPING CO. OF MARQUETTE, INC.,

Defendant.

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**ORDER APPROVING REPORT AND RECOMMENDATION**

The court has reviewed United States Magistrate Judge Ellen S. Carmody's February 22, 2006 Report and Recommendation. The Report and Recommendation was duly served on the parties and no objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation (Dkt. No. 93), is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Industrial Piping & Boiler Service, Inc., successor company to Defendant Industrial Piping Co. Of Marquette, Inc. and its officer, Robert Weber, are held in civil contempt for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that Defendant shall remit fringe benefit contributions totaling \$31,573.02 on or before **April 20, 2006** to purge itself of contempt.

**IT IS FURTHER ORDERED** that Defendant shall pay to Attorney Scott Graham, on or before **April 20, 2006**, \$3,255.00 for attorney fees and \$322.25 for costs incurred in enforcing this Court's Second Supplemental Judgment of May 5, 2003.

**IT IS FURTHER ORDERED** that the Clerk is directed to serve a copy of this Order upon Defendant at the address show below:

Robert S. Weber  
Industrial Piping Co. of Marquette, Inc.  
446 East Crescent Street  
Marquette, MI 49855

-and-

Industrial Piping Co. of Marquette, Inc.  
446 East Crescent Street  
Marquette, MI 49855

Dated in Kalamazoo, MI:  
March 20, 2006

/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge